

**Office of the Tompkins County District Attorney
Ithaca Police Department**

Distracted Driving Diversion Course

Motorists charged with Use of a Mobile Telephone, VTL 1225-c, and Use of a Portable Electronic Device, VTL 1225-d, may avoid the five-point DMV penalty associated with conviction under these offenses if they take the one-hour Distracted Driving Diversion Course (“the Course”) offered by the Ithaca Police Department. This approach to distracted driving is available only to motorists charged with these offenses in the City of Ithaca. The Course, taught by police officers, presents information about the dangers of distracted driving.

Upon proof of completion of the Course, the Office of the District Attorney will offer the motorist the opportunity to enter a plea to Opening a Car Door Unsafely, VTL 1214 (zero points). The District Attorney’s Office will then recommend a fine to be assessed by the Court along with the mandatory surcharge in the total amount of \$120.00 (fine of \$32.00 and surcharge of \$88.00).

A plea agreement based on a motorist’s completion of the Course constitutes an alternative to a trial on the charge of VTL 1225-c or VTL 1225-d. Of course, motorists are free to pursue their right to a trial before a judge of the Ithaca City Court.

Here’s how the Distracted Driving program works:

The motorist will see the Assistant District Attorney (ADA) in the Ithaca City Court (third floor) at noon on a Wednesday following issuance of the ticket. The motorist will bring a copy of his or her DMV Driver Abstract. Motorists should pay careful attention to the mandatory appearance date presented on the traffic ticket.

If the motorist wants to participate in this point-reduction program, the ADA will provide information about the date, time and place of the Course. The Course is given at 6:00 p.m. on the first Tuesday of each month in the Borg Warner Conference Room of the Tompkins County Public Library, located at 101 East Green Street, Ithaca, New York.

Upon completion of the Course, a member of the Ithaca Police Department will provide proof to the motorist, as well as a plea form by which the motorist may enter a guilty plea to the reduced offense. The motorist will then return the signed plea form to the City Court Clerk's office (second floor) and make arrangements to pay the fine and surcharge.

The Course is not available when the motorist is charged with distracted driving along with any Penal Law offense or crime. The Course is available to first-time distracted driving offenders only.

Both the Office of the District Attorney and the Ithaca Police Department hope that the Course educates motorists about the consequences, sometimes fatal, of distracted driving.

According to the National Highway Traffic Safety Administration, in 2015, 3,477 people were killed and 391,000 were injured nationwide in crashes involving a distracted driver. The Distracted Driving Diversion Course is designed to reduce the risk of these consequences in the local community.

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